

## DETENTION AFFIDAVIT

### I. Introduction

1. I, James Clifford, having been first duly sworn, do hereby depose and state as follows:

I am submitting this affidavit in support of the government's motions that the following individuals be detained pending trial: (1) Luis COTTO a/k/a "Calvo," "the cousin," "Correa," ("COTTO"), (2) William TORRES, a/k/a Narizon, (3) Andres TORRES, (4) Walber QUINONES ("Quinones"), (5) Tomas VASQUEZ ("VASQUEZ"), and (6) Christian GONZALEZ-CRUZ, a/k/a Julian ("GONZALEZ-CRUZ"). I have not included each and every fact developed from the investigation in this affidavit. Rather, this affidavit includes facts I believe to be relevant to issues under 18 U.S.C. §3142 with respect to the Targets.

2. I am an investigator and law enforcement officer of the United States, empowered by law to conduct investigations and make arrests for offenses enumerated in the Controlled Substances Act of Title 21, United States Code, as well as within the meaning of Section 2510(7) of Title 18, United States Code, and empowered by law to conduct investigations and make arrests for offenses enumerated in Section 2516 of Title 18, United States Code.

3. I, SA Clifford, have been employed with the Drug Enforcement Administration (DEA) since June of 1988. During my tenure, I have been involved in hundreds of investigations, which led to the arrest of thousands of individuals and the seizure of large quantities of narcotics and financial assets. I, SA Clifford, have participated in the investigation of complex drug conspiracies, narcotics smuggling, Title III investigations, possessions with intent to distribute illegal narcotics, and continuing criminal enterprise activities, in violation of Title 21, United States Code, Sections 841(a)(1), 843(b), 846, 848, 952(a) and 963. I, SA Clifford, also have

applied for and obtained court authorized wiretap warrants, as defined by Massachusetts General Laws Chapter 272 Section 99.

4. I am currently assigned to the DEA, New England Field Division, Springfield Resident Office (hereinafter "SRO"). The SRO is comprised of the DEA, the Massachusetts State Police, and police detectives from Springfield, Holyoke, Easthampton and West Springfield, Massachusetts. These groups of law enforcement officers are tasked together to investigate and assist in prosecuting drug offenses. The SRO also receives assistance from other federal, state and local agencies on a case specific basis, in particular, the Bureau of Alcohol, Tobacco and Firearm (ATF) and the Department of Homeland Security (DHS).

5. I have personally participated in the investigation of the subjects named in this Affidavit since approximately July 2012. I am familiar with the facts and circumstances of this investigation from oral and written reports made to me by other federal, state, and local agents who have either worked directly on this investigation or have experience or familiarity with the targets and/or subject matter of the investigation.

6. All of the targets have been charged with conspiracy to distribute heroin in violation of 21 U.S.C. § 846, and aiding and abetting in violation of 18 U.S.C. § 2. All of these individuals are alleged to be members of a significant Drug Trafficking Organization, herein referred to as the COTTO DTO. Some of these individuals have significant criminal histories involving prior convictions for drug and violent crimes. The information provided below is submitted to show that no conditions exist under which the Defendants can be safely released to the community.

## **II. Summary of Investigation**

7. Since early 2012, COTTO has directed a drug-trafficking organization (“DTO”) by causing the importation of heroin from New York, and overseeing its wholesale distribution in Holyoke and Springfield. COTTO distanced himself from the day-to-day operations, by utilizing William TORRES and Andres TORRES as his top-level distributors. VAZQUEZ, under the direction of Andres TORRES, distributed Heroin to numerous low-level distributors.

In an effort to separate the product distribution from the financial aspects of the organization, COTTO employed QUINONES, as the DTO money manager. QUINONES received and accounted for the heroin-distribution profits, and prepared the money for delivery to the heroin source-of-supply in New York City. As further described below, on May 7, 2013, the DEA SRO caused QUINONES and CHRISTIAN-GONZALEZ to be stopped as they, under the direction of COTTO, were en route to delivering a large sum of U.S. currency (approximately \$250,000.00) to a source in New York City. The DEA seized the money. Then on May 24, 2013, when investigators recovered approximately 900 grams of heroin from a vehicle that was parked outside a storage locker used by the DTO. DEA Arrested William TORRES and Andres TORRES in the process of unloading the heroin from the vehicle to the storage locker. This event triggered the arrests of the remaining four targets, as well as the execution of thirteen federal search warrants during which \$100,000.00 and two firearms were amongst the items recovered.

### **i. Seizure of \$248,446.00 from QUINONES and GONZALEZ-CRUZ**

8. In the days preceding May 7, 2013, agents received reliable information which led them to believe the COTTO DTO was collecting money as payment for a substantial shipment of heroin that had previously been received by the DTO. The information further indicated that

Luis COTTO had directed Walber QUINONES to make a trip to New York with a substantial amount of money. Based upon this information, surveillance of Walber QUINONES, at his 140 Chestnut Street, Springfield, MA location was established at several points during the day, agents observed COTTO and GONZALEZ-CRUZ coming and going from 140 Chestnut Street. During this time, reliable information indicated that COTTO and QUINONES were arguing back and forth about how much money there should be. COTTO had the figure at \$286,000.00 and QUINONES at \$256,000.00. Eventually the individuals come to some type of agreement. At approximately 7:00 p.m., DEA observed QUINONES and GONZALEZ-CRUZ exit the apartment building with QUINONES carrying a tan duffel bag which appeared to be significantly weighted. GONZALEZ-CRUZ then got in the driver's seat of the Nitro and QUINONES went to the rear driver's side door, opened it and began manipulating the rear seat. After 2 to 3 minutes, QUINONES walked around to the passenger side of the car, no bag in hand, entered and the two left the area. The vehicle was followed directly to a gas station where both entered the store and exited with sandwiches and QUINONES then put fuel in the car. Law enforcement stopped the car and discovered a hydraulic trap in the vehicle. The trap, or hide, contained the above-described tan bag which contained a large quantity of US currency. Both QUINONES and GONZALEZ-CRUZ denied having any knowledge of the money. The currency was then seized by the CSP and turned over to the DEA. An official count of the currency showed that the tan bag contained \$248,446.00.<sup>1</sup> Subsequent to QUINONES being released, he immediately contacted Luis COTTO and William TORRES to inform them of the seizure.

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<sup>1</sup> A photograph of the money seized is attached as Exhibit 1.

**ii. Seizure of Approximately 900 Grams from the COTTO DTO on May 24, 2013**

9. On May 23, 2013, we received reliable information that William TORRES, at the direction of COTTO, was preparing to make a trip to the New York City area to acquire another shipment of heroin. Investigators believe that COTTO instructed William TORRES to get a vehicle ready for the trip. We received information that COTTO further instructed William TORRES to meet COTTO at the EL MORRO BAKERY, Springfield, MA. Surveillance Agents observed, at approximately 3:00 p.m., two vehicles associated with William TORRES and COTTO at the EL MORRO BAKERY. A short time later, William TORRES left the Bakery in his Chevy Tahoe and was followed to his residence at 9 Noel Street, Springfield, MA. William TORRES spent some time there going between his residence, the Tahoe and a Chrysler Pacifica. We believe, based on the current investigation, that the Chrysler Pacifica is equipped with a hidden trap. Surveillance agents followed William TORRES, in the Pacifica, to the Pride Gas Station at the corner of Union Street and East Columbus Avenue, Springfield, MA, near Interstate 91 (I-91). A short time later, surveillance agents observed William TORRES and GONZALEZ-CRUZ leave the Pride station, driving two vehicles in tandem. The two vehicles were followed to I-91 southbound before surveillance was terminated.

10. The investigation revealed that William TORRES and GONZALEZ-CRUZ went to the New-York-City area. Agents were able to determine that William TORRES returned to his residence shortly after 1:00 a.m. on May 24, 2013. Agents also determined that GONZALEZ-CRUZ had returned to his residence, 140 Chestnut Street, Springfield, MA a short time later.

11. Agents concluded based on reliable information that that William TORRES brought a significant load of heroin to Springfield, MA in the Chrysler Pacifica. Agents established surveillance on the Chrysler Pacifica, shortly after 2:00 a.m. This vehicle was parked across from

William TORRES' residence on Noel Street. Agents set up surveillance at the known stash locations, including the storage-unit facilities. At about 12:30 p.m., agents followed William TORRES as he drove the Chrysler Pacifica to **Springfield Self-Storage**, on Cadwell Street in Springfield. At about 1p.m., surveillance teams observed Andres TORRES arrive at the same location and meet with William TORRES. The agents could see the men traveling between the Pacifica and the storage unit. At about 1:10 p.m., agents, under the direction of the DEA SRO, approached Andres TORRES and William TORRES outside storage Unit 218. After placing the two men in custody, agents recovered a significant amount (estimated to be approximately 900 grams) of heroin from a concealed hide in the Pacifica.<sup>2</sup> Based on our investigation, we believe this is the fourth load of heroin this group has imported into Springfield, MA since early March 2013. We believe, based on the investigation as outlined in the complaint affidavit as well as information received on and subsequent to May 24, 2013, that these shipments amounted to approximately 545,000 bags of heroin. I estimate the total weight of heroin contained in these bags to be in excess of ten kilograms. A conservative street-value estimate of this amount of heroin is more than \$3,000,000.00.

### iii. Search Warrants Executed

12. After arresting William TORRES and Andres TORRES, the task force executed numerous search warrants. What follows is a brief summary of items recovered from the following Defendants:

- a. COTTO – agents recovered approximately \$80,000.00, apparent drug ledgers, and a loaded firearm from his residence, and \$20,000.00 from one of his vehicles;
- b. QUINONES – agents recovered U.S .Currency, apparent drug ledgers, and a .22

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<sup>2</sup> A photograph of the heroin recovered in the vehicle's hide is attached as Exhibit 2.

caliber firearm from his apartment;

- c. VAZQUEZ – agents recovered U.S. currency, an apparent drug ledger, and heroin from his residence.

In addition, agents seized significant assets to include luxury cars and high-end motorcycles.

### **Summary of Potential Penalties**

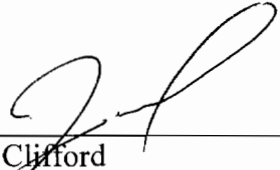
13. Based on a conservative (low) estimate of the relevant drug weight attributable to this conspiracy, when analyzed in light of each defendant's criminal history the prosecution team estimates the following potential penalties for the defendants:

- a. Luis COTTO faces a statutory minimum of 20 years, with an estimated Guideline Sentencing Range of 360 months to life after trial, and 262 to 327 with acceptance of responsibility.
- b. Tomas VASQUEZ faces a statutory minimum of 20 years, with an estimated Guideline Sentencing Range of 360 months to life after trial, and 262 to 327 with acceptance of responsibility.
- c. Andres TORRES faces a statutory minimum of 20 years, with an estimated Guideline Sentencing Range of 360 months to life after trial, and 262 to 327 with acceptance of responsibility.
- d. Walber QUINONES faces a statutory minimum of 10 years, with an estimated Guideline Sentencing Range of 151 to 188 after trial, and 108 to 135 with acceptance of responsibility.
- e. William TORRES faces a statutory minimum of 10 years, with an estimated Guideline Sentencing Range 151 to 188 after trial, and 108 to 135 with

acceptance of responsibility.

- f. Christian GONZALEZ-CRUZ faces a statutory minimum of 10 years, with an estimated Guideline Sentencing Range 151 to 188 after trial, and 108 to 135 with acceptance of responsibility.

This concludes a summary of information I believe to be relevant to the pre-trial detention of the above-listed Defendants.

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James Clifford  
Special Agent  
Drug Enforcement Administration

Dated: May 30, 2013